

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES – GENERAL

No. 2:18-cv-07258-ODW (RAO) Date February 12, 2019  
Title *Elliot Pershes v. USA Fitness Center et al.*

---

Present: The Honorable Otis D. Wright, II, United States District Judge  
Sheila English Not reported N/A  
Deputy Clerk Court Reporter / Recorder Tape No.  
Attorneys Present for Plaintiffs: Not present Attorneys Present for Defendants:  
Not present

Proceedings: **In Chambers**

Pursuant to Plaintiff's Notice of Dismissal (ECF No. 29) and Federal Rule of Civil Procedure 41(a)(1), **IT IS HEREBY ORDERED** that:

1. Plaintiff's claims as to Defendant Valley Gym Corporation dba USA Fitness Center is **DISMISSED WITH PREJUDICE**;
2. The class allegations are **DISMISSED WITHOUT PREJUDICE**; and
3. All dates and deadlines are **VACATED**, including the Motion to Dismiss (ECF No. 10).

The Court also finds that notice to the putative class members is not necessary given the stage of the proceedings, and that the dismissal of their claims is without prejudice.

The Clerk of the Court shall close this case.

**IT IS SO ORDERED.**

: 00  
Initials of Preparer SE